

NOTICE TO PARTIES INVOLVED IN CIVIL ACTIONS
IN MISSOULA COUNTY JUSTICE COURT*

A party is either the Plaintiff of the Defendant.

Missoula County Justice Courts strictly follow the MONTANA JUSTICE AND CITY COURT RULES OF CIVIL PROCEDURE, 1999, in that a party filing or answering a complaint must abide by the following rules of law:

Rule 2. Commencement of action. (a) A civil action is begun by filing a complaint with the justice {or} city court. A concise written statement of the cause of action is considered a complaint. A person as defined in Rule 4(A)(1) may file individually or through an attorney. All others, as defined in Rules (4) (A) 2,3,4 and 5, **must file through an attorney**. The individual or the attorney must sign the complaint. Other requirements for the complaint are set out in Rule 7.

Rule 4. Persons- jurisdiction- process- service. A. PERSON...includes:

- (1) An individual, whether operating in the individual's own name or under a trade name;
- (2) An individual's agent or personal representative;
- (3) A corporation, business trust, estate trust, partnership, or limited liability company;
- (4) Any two or more persons having a joint or common interest; and
- (5) Any other legal or commercial entity.

Rule 7. Pleadings allowed. In justice or city court there may be a complaint, answer, counterclaim, and reply to a counterclaim. No other pleadings are allowed, except that the court may order a reply to an answer. A "motion" is not a "pleading"...

(F)(4) Signing of pleadings. Every pleading of a party represented by an attorney must be signed by that attorney and must state the address and telephone number of the attorney. A party who is not represented by an attorney shall sign the pleading and state the party's address and telephone number.

Additionally, 7-4-2210(1) M.C.A. restricts the practice of law by certain officers. Sheriffs, CLERKS, Constables, and their deputies are PROHIBITED from practicing law or acting as attorneys or counselors at law.

(Clerks are available to assist with the filing of a law suit and procedures only).

Failure to appear at any scheduled court appearance may result in default judgment or a dismissal of the case.

*** This does not apply to Small Claims Actions**